



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

April 29, 2016

BY ECF

The Honorable Katherine B. Forrest
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: United States v. Kenneth and Taylor Levin
15 Cr. 101 (KBF)**

Dear Judge Forrest:

The Government writes to seek immediate remand of, or, in the alternative, a significant increase in the bail conditions for Kenneth Levin in advance of his sentencing scheduled for May 13, 2016. The Government has serious concerns about his present risk of flight.

Earlier today, the Court imposed a significant term of imprisonment on Taylor Levin, his son and co-defendant, and required his immediate remand. The Court remanded Taylor Levin due to his risk of flight, which was evident from Taylor Levin's failure to fully admit responsibility or acknowledge the impact of his crime on his victims, the vast delta between the actual sentence imposed and the sentence of probation he requested, and the Government's intention to seek forfeiture of the primary asset securing both Taylor and Kenneth Levin's bond (Taylor Levin's apartment).

Also earlier today, during Taylor Levin's sentencing proceeding, but prior to the imposition of sentence, Kenneth Levin filed his sentencing submission seeking "five years of home confinement with permission to leave his home to perform community service under the supervision of his Rabbi and to attend medical appointments/hospitalizations." This request, like Taylor Levin's request for probation, does not acknowledge the severity of the crime or the reality of other sentences in this case, all for lesser participants in the scheme.

In light of all of these facts, the Government does not believe the defendant can presently sustain his burden to demonstrate, by clear and convincing evidence, that he does not pose a risk

of flight prior to sentencing, and should therefore be immediately remanded or, in the alternative, the Court should impose a significant increase in his bail conditions, to include meaningful additional security, home confinement and electronic monitoring.

Respectfully submitted,

PREET BHARARA
United States Attorney

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